

REMARKS

The applicant has had an opportunity to carefully consider the Examiner's Office Action of May 18, 2004 and believes this amendment is fully responsive to every point raised by the Examiner. Reconsideration of the application is respectfully requested. Claims 1-12, 14, and 16-20 remain in the application. Claims 21-22 have been added.

THE OFFICE ACTION:

Claims 1, 2, and 11-13 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,466,548 to Fitzgerald.

Claim 15 is identified as containing allowable subject matter.

Claims 3-10, 14, 16-18, 19, and 20 are allowed.

THE ART REJECTIONS:

Claims 1, 2, 11 and 12 Patentably Distinguish Over Fitzgerald.

The Examiner has indicated that claim 15 is objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. This amendment adds limitations previously presented in claim 15 to independent claim 1. Thus, amended claim 1 essentially places claim 15 in independent form. Therefore, the applicant respectfully submits that amended claim 1 and claims dependent thereon (claim 2) are currently in condition for allowance.

Claim 11 is an apparatus claim that is similar to method claim 1. This amendment adds limitations previously presented in claim 15 to independent claim 11. As noted by the Examiner in finding that claim 15 contained allowable subject matter, Fitzgerald does not disclose or fairly suggest testing a telecommunication system such as that recited in claim 11 where the circuit switching component employs time division multiplexing (TDM) and the packet switching component employs asynchronous transfer mode (ATM) packet switching. Therefore, the applicant respectfully submits that amended claim 11 is currently in condition for allowance.

Claim 12 is an apparatus claim that is similar to allowed method claim 4. Claim 12 has been amended to more closely resemble allowed claim 4. Therefore, the applicant respectfully submits that amended claim 11 is currently in condition for allowance.

CONCLUSION

In view of the above remarks, the applicant submits that the present application is in condition for allowance. Notice of such allowance is hereby respectfully requested.

Respectfully submitted,
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Date

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